

Issue and Potential Options Survey Responses

QUESTION	A	*	B	*	C	*	D	*	E	*
1. Amount of paid leave to be required									* ()	No. of Responses Rec'd
I) Varying minimum amount of paid leave by firm size.	Vary leave, as proposed, by number of FTE.	5	Require a fixed number of days regardless of firm size.	5	Additional option: • Hours bank (2) • Should be up to employer not City (1) • Required no more than 3 days (1) • No option (1)	3		1		
II) Potential to exempt "micro" or "small" businesses.	Exempt "small" businesses -- those with 10 or fewer FTE.	3	Additional option: • Keep universal policy (6) • 50 or fewer FTEs (2) Certificate of exemption (2) • No option (1)	4						
III) Number of days to require.	Maintain 9 days as maximum required by ordinance.	5	Provide an increasing number of days, but cap at 7 rather than 9 days.	1	Cap requirement at 5 days for all businesses.	4	Additional option: • Hours-bank - Increase yrly (2) • 3 days (1) • No option(1)	3		
IV) Leave requirements for "Major Employers" (those with 1,000+ employees) with a PTO program.	Maintain current requirement of 18 days, of which 9 must satisfy ordinance's leave requirements.	4	Eliminate additional requirement for "Major Employers" and establish 9 days of leave, including PTO, as the maximum paid leave required under the ordinance.	4	Additional option: • Exempt employers who have PTO (2) Cap at 5 (1), Cap at 3 (1)	3				
2. Applicability threshold for workers based outside of Seattle										
As drafted, employees who work 80 or more than hours in Seattle are	Retain 80 hour threshold.	4	Increase threshold to 250 hours (or some other number, but tied to hours worked).	3	Set threshold as a percentage of time worked in Seattle -- the specific option here is that workers would be	1	Additional option: • Only Seattle e'ees should be eligible (2) • 25% (or higher) of time working in Seattle (2) • Worked in Seattle 50% of hours (1) • Rule should apply to employer location, not employee's location of work (1)	4		
3. Initial <u>accrual</u> of paid leave										
As proposed, employees begin to accrue sick leave on the date hire but	Retain proposed system, where accrual begins at date of hire.	4	Delay initial accrual until after some period of employment, perhaps the same 90 and 180 days that	5	Additional option: • 520 hr threshold (3) • Accrual hours, not days (3) • 180 days or more (1) • No option (1)	5				
4. Initial <u>eligibility</u> for paid leave										
As note immediately above, employees would be eligible to use	Retain proposed system.	4	Extend period before eligibility to as much as one year.	0	Define eligibility in terms of cumulative hours worked rather than cumulative days.	5	Require that initial period of employment, whether measured in days of hours, to occur within a 24	4	Additional option: • Emp break over 9mo -hrs accumulated lost (4) • Must work 90 days - calendar yr (1) • Cumulative hrs not days (1) • Only permanent e'ees or 12 mo. Accrual (1)	4

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5. Workers with variable pay The legislation does not currently address what rate of "sick" pay should be awarded to workers who do not have fixed wage rates, or	Allow Office of Civil Rights to resolve through administrative rules.	4	Set "sick pay" equal to rate earned during previous pay period, or perhaps average over previous 3 months.	2	Set sick pay rate equal to what would have been earned on the day(s) in question, if the worker had reported.	3	Additional option: • Employer discretion/min. = ST min. wage (1) • No option (3), Common wage for that worker (1)	3		
6. Breaks in Service If a worker is separated from employment and rehired by the same	Maintain proposed system.	6	Retain 9 month period for immediate eligibility, but do not provide for retention of unused leave.	1	Shorten period over which eligibility and/or leave balances are maintained.	2	Additional option: • Rehire w/ 60 days/recapture (1) • Rehire w/ 30 days/recapture (1) • Benefit ends when e'ee leaves Co. (1)	3		
7. Paying for the costs of medical documentation Employers would be allowed to request documentation for absences of more than 3 days. Employers who offer PTO but do <u>not</u> offer health insurance would be required to share in any out-of-pocket costs that employees incur in securing such documentation. Tier 1 and Tier 2 employers would have to pay 50% of the cost; Tier 3 employers 100%.	Retain proposed requirement.	4	Decrease Tier 3 requirement to 50%.	1	Eliminate requirement to pay cost of documentation.	4	Additional option:	0		
8. Right to waive paid leave benefit as part of a collective bargaining process The proposed ordinance currently allows such waivers.	Retain ability to waive benefit.	8	Allow waiver, but require that at least 5 days of paid leave be retained.	1	Preclude any waiver of prescribed benefit.	1	Additional option: • Allow all employers to waive	1		
9. Right of temporary workers to waive paid leave benefits in exchange for Draft currently precludes such waivers at an individual level.	Retain the prohibition.	5	Allow waivers for temporary employees only, and establish some minimum premium that must be paid in lieu of paid leave.	2	Additional option: • Waivers available to all e'ees (2) • No option (3)	2				
10. Shift swapping for Tier 3 firms (Tier 3 = 250+ FTE) The proposed ordinance includes shift swapping provisions that apply to Tier 1 and Tier 2, but not Tier 3 firms.	Extend shift swapping to Tier 3 firms.	5	Additional option: • Substitute shift required (1) • Retain current policy (4) • Delete this section (1)	6						
11. Points requiring further clarification in proposed ordinance	a. • Correct (4) • Accrual not retroactive (1) • No Response (7)		c. • Correct (4) • Wages do not include tips/comm. (1) • No Response (7)		e. • Developed through adm. rules (4) • Define out-of-pocket costs (1) • No Response (7)		g. • Helpful to clarify (4) • Clarify - "health care professional" (1) • Exempt employers already providing benefit (2) • NO RESPONSE (6)		i. • No reason why should be precluded (4) • No Response (8)	

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	<p>b.</p> <ul style="list-style-type: none">• Important to Clarify (5)• No Response (7)	<p>d.</p> <ul style="list-style-type: none">• Violate Principal (4)• Define base wage to measure premium (1)• No Response (7)	<p>f.</p> <ul style="list-style-type: none">• Better if standard - e'ee no health insurance? (4)• Clarify -"provide" health Insurance (1)• No Response (7)	<p>h.</p> <ul style="list-style-type: none">• Adds adm. costs (4)• Employer rec'd clarification -benefit programs satisfies the terms of ordinance (1)• NO RESPONSE (7)	

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12. Additional Issues	a. <ul style="list-style-type: none">• Oppose (4)• No Response (8)	d. <ul style="list-style-type: none">• Covered under ERISA (4)• No Response (8)	g. <ul style="list-style-type: none">• Enforcement mechanism provides incentive (4)• Clarify enforcement mechanism (2)• No Response (6)	j. <ul style="list-style-type: none">• No Response (12)	
	b. <ul style="list-style-type: none">• Employer size based on FTE count (4)• Address potential business to "split" into small entities (1)• No Response (7)	e. <ul style="list-style-type: none">• Yes (4)• Implement education program for employer and employees (1)• No Response (7)	h. <ul style="list-style-type: none">• No (4)• No Response (8)	k. <ul style="list-style-type: none">• Add "abuse by employer" provision (1)• No response (11)	
	c. <ul style="list-style-type: none">• Clarification (4)• No Response (8)	f. <ul style="list-style-type: none">• Yes (4)• Implement outreach for non-English speaking employer and employees (3)• No Response (5)	i. <ul style="list-style-type: none">• Great idea (4)• No Response (8)	l. <ul style="list-style-type: none">• Potential financially incentive to ease cost of compliance (1)• No Response (11)	
Other: <ul style="list-style-type: none">• City Auditor shall submit a report of economic impact on private sector. (1)• Exemption by Hearing examiner for business that prove hardship (2)• Alternative dispute to avoid Sup Court binding judgement from 3rd (1)• Measure time in day increments not hourly (2)• Release of employment based on merit by Muni court judge and not considered retaliatory. (1)• Provide opportunities for employers to be exempt after proof of economic/financial hardship (2)• SOCR not equipped/trained to enforce. Discuss alternative. (1)• Economic impact study done before (1)• Unable to sue employer (1)• 90 day "guilty till proven innocent" should be removed (1)• Remove sick leave usage for closures by gov. officials and "preventive care" (1)• FMLA requirements impacted/conflict with other employer requirements already in place (1)• Accrual rate for T2&T3 to be equal to T1 (1)• Add abuse by employees (1)• Employee ability to use PTO/Sick Leave restricted? (1)					

NO. OF RESPONSES
RECEIVED

NAME OF ORGANIZATION RESPONDING

4	Coalition
1	Manufacturing Industrial Council
1	Northwest Grocery Association
3	Private Duty Association
1	Seattle Chamber of Commerce
1	Seattle China Town/International District Preservation and Development Authority
1	Washington Restaurant Association

12 ← Total Responses